IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5184 OF 2002

The State of Maharashtra & Ors. ...Petitioners

Versus

Suresh Gurunath Kodate ...Respondent.

WITH

WRIT PETITION NO. 5204 OF 2002

The State of Maharashtra & Ors. ...Petitioners

Versus

Suresh Ramchandra Kelkar ...
Respondent.

WITH

WRIT PETITION NO. 5208 OF 2002

The State of Maharashtra & Ors. ...Petitioners

Versus

Prabhakar Pandurang Karanjkar ...
Respondent.

WITH

WRIT PETITION NO. 1539 OF 2002

The State of Maharashtra & Ors. ...Petitioners

Versus

Arun Laxman Gaikwad ...
Respondent.

WITH

WRIT PETITION NO. 4942 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Pradeep Dattatray Joshi ...Respondent.

WITH

WRIT PETITION NO. 4943 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Mrudula Raman Khole ...Respondent.

WITH

WRIT PETITION NO. 4944 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Anjali Deepak Raje ...
Respondent.

WITH

WRIT PETITION NO. 4945 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Ramdas Mahadeo Kadam ...Respondent.

WITH

WRIT PETITION NO. 4946 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Ankush Nivrutti Tambe ...Respondent.

WITH

WRIT PETITION NO. 4947 OF 2003

The State of Maharashtra & Ors. ...Petitioners

Versus

Eknath Pandurang Kadam ... Respondent.

IN ALL PETITIONS:

Mr. S.R. Nargolkar, Assistant Government Pleader, for the Petitioners

Mr. S.S. Hardikar for the Respondents.

CORAM: V.G. PALSHIKAR, Ag.C.J., & SMT. NISHITA MHATRE, J.
DATE: JANUARY 27, 2006.

P.C.:-

1. In all these petitions, a common order was passed granting the relief mentioned in the order.

2. The learned Assistant Government Pleader, on behalf of the State, pointed out to us that apart from factually incorrect observation that there was no dispute about certain

things, the Maharashtra Administrative Tribunal (for short, "the Tribunal"), during the course of original jurisdiction, has not applied its mind and given findings on points which arise for adjudication. In the circumstances, it would be difficult to uphold the impugned orders. Interest of justice would, therefore, be met if the impugned orders are set aside and the matters remanded back to the Tribunal for hearing on merits and adjudication thereafter in accordance with law.

3. It is contended on behalf of the respondents that the relief flowing out of the impugned orders is granted to some and is not granted to few. We need not deal with the grant already made. The grant or refusal may take its appropriate course after adjudication on merits of the Original Applications by the present respondents. Taking into consideration the fact that some of them are on the verge of retirement, we request the Tribunal to decide the matters as early as possible, but, in any case, within six weeks from the date of receipt of this order. All petitions are accordingly disposed of.

4. Parties to act on an authenticated copy of this order.